

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-40 are unchanged and remain pending in the application.

Claims 1-5, 13-15, 21-25 and 33-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Cave et al. (US 6,404,746) in view of Korpi et al. (US 6,636,528). This rejection is respectfully traversed.

According to an embodiment disclosed in the specification, the user interface resource initiates bridging of the RTP audio streams of the two call legs while maintaining control of both legs. Hence, a subscriber may suspend his or her session with the user interface resource and call the destination party and then return to the user interface resource upon completion of the call with the destination party.

The claims recite “resuming the user interface session with the user interface resource in response to detecting a second prescribed condition between the subscriber and the destination party.” In response to Applicants’ previous argument that the prior art of record does not teach or suggest this resuming step, the Examiner contends in paragraph 5 of the Action that Cave teaches “VoIP driver 944 sends DROP-RTP A-to-B Message 972 (suspend task) to gateway 966 to command gateway 966 to drop the media stream. VoIP driver 964 then sends NEW-RTP A-to-VRU message 976 to gateway 966 to reestablish (resume task) the media stream from gateway 966 to the VRU.” The Examiner then states that “When a resource becomes available, the suspended task is resumed, and the instructions accessing the resource is re-established.”

Applicants contend that Cave does not teach the user interface session being resumed in response to detecting a second prescribed condition between the subscriber and the destination party. Cave states that the RTP sessions and H.323 calls are torn down once a call is terminated (see column 15, lines 56-59 of Cave). To make a new phone call, application server re-establishes an RTP session. This is a new session, but since the service application has already validated the caller, only the PSTN phone number is needed (see column 16, lines 36-35 of Cave). Applicants submit that in Cave, “re-establish” does not mean “resume” as claimed, but means “new”. This is evident by the use of the terms “DROP” and “NEW” as discussed above

and as shown in FIG. 8 of Cave. In particular, Cave relates to redirecting media messages between gateways. For example, a media message is dropped between gateway 948 and the VRU and an new media stream is established between gateway 946 and gateway 948. Cave further states at column 20, lines 16-20, "After the media streams are torn down, the VRU may either command the gateways to tear down the call controls, or the VRU may command the gateways to set up new RTP sessions with the VRU, similar to the structure that existed before the media redirection." Thus, it is clear that there is no teaching or suggestion of resuming the user interface session with a user interface resource in response to detecting a second prescribed condition between a subscriber and a destination party in Cave.

In addition, the Examiner's comments in paragraph 5 of the final Office with regard to Cave teaching a resuming step are inconsistent with the rejection of paragraph 7 of the Action, since in paragraph 7, the Examiner notes that Cave does not teach or suggest "connecting the first and second RTP data streams in response to a call command from the subscriber and resuming the interface session with the subscriber in response to a detected condition between the subscriber and the destination party." (Emphasis added). The Examiner stated that Cave teaches the claimed resuming step and then states Cave is different from the claims since Cave does not teach a the connecting and resuming steps.

The Examiner cites Korpi et al. as teaching a method of switching data in a telecommunications network with a switching device and contends that it would have been obvious "to implement a computer program product in Cave in view of Korpi for performing the steps and apparatus as recited in the claims..."

Applicants submit that even if the teachings of Korpi and Cave were combined, the hypothetical combination would not disclose or suggest resuming a user interface session with the user interface resource in response to detecting a second prescribed condition between the subscriber and the destination party. As noted above, Cave does not teach or suggest resuming a user interface session. Korpi discloses a telecommunications system having an interface unit to accommodate different signaling protocols. Korpi teaches away from resuming a user interface session, since Korpi teaches a line switching center telecommunications system in which voice

channels are connected for the duration of a call (see column 5, lines 42-46 of Korpi). Thus, there is no teaching or suggestion in Korpi (or the hypothetical combination) of resuming a user interface session, established by a RTP data stream according to H.323 protocol, once a prescribed condition between a subscriber and destination party is detected.

For these reasons, the rejection is improper and should be withdrawn.

Claims 11-12, 18-20, 31-32 and 38-40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Cave in view of Korpi and further in view of Gallant et al. (U.S. 6,636,596). This rejection is respectfully traversed. These claims depend from independent claims 1, 9, 13, 21, and 33 and are considered to be allowable for the reasons advanced above, and for the additional reason that the added subject matter thereof is neither taught nor suggested by the prior art of record.


The Examiner indicated that claims 6-10, 16-17, 26-30 and 36-37 contain allowable subject matter. These claims have not been rewritten in independent format since the base claims are considered to be allowable over the prior art of record for the reasons advanced above.

In view of the foregoing, it is believed this application is in condition for allowance, and such as Notice is respectfully solicited.

09/606,692 -- CRAIG et al.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-430, and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stemberger", with a stylized flourish at the end.

Edward J. Stemberger
Registration No. 36,017
Phone: (202) 261-1014
Facsimile (202) 887-0336

Customer No. 23164

Date: Monday, June 21, 2004
June 19, 2004 = Saturday